

# BOARD OF ZONING APPEALS MEETING

## A G E N D A

### TOWN OF CHINCOTEAGUE

March 12, 2015 - 7:00 P.M. – Council Chambers - Town Hall

#### CALL TO ORDER

#### AGENDA ADOPTION:

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1. Approval of Minutes of February 12, 2015
2. Appeal 15-03-1 A request from Sheldon & Karen Mason, Parcel 30A4-A-39 Birchtown Lane for a variance from Article 6, section 6.15 of the zoning ordinance of the Town of Chincoteague. The applicant wishes to construct a residence on said parcel. The structure will be located 6.5' from both side lot lines. Non-conforming side lot lines require a minimum of 10' side yard setback on the east side and 7.8' on the west side. This property is zoned C-1.
3. Public Participation
4. Board Action on Appeal 15-03-1
5. Appeal 15-03-2 A request from Daniel E. Whealton, 7355 Whealton Ct. for a variance from Article 3, section 3.9.3 (2) of the zoning ordinance of the Town of Chincoteague. The applicant has placed a manufactured home on said lot 17' from the rear lot line. Current zoning requires a minimum 25' rear yard setback. This property is zoned R-3.
6. Public Participation
7. Board Action on Appeal 15-03-2
8. Election of Chairman, Vice-Chairman
9. Adjourn:

February 18, 2015

Eastern Shore Post  
P.O. Box 318  
Tasley, VA 23441

Dear Sirs:

The Town of Chincoteague request the following notice of public hearing be published in the Eastern Shore Post on Friday February 27, 2015 and Friday March 6, 2015:

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Public Notice

The Board of Zoning Appeals of the Town of Chincoteague will hold a public hearing on March 12, 2015 at 7:00 p.m. in the Council Chambers located at 6150 Community Drive to receive public comments and views on the following zoning matter:

**Appeal 15-03-1** A request from Sheldon & Karen Mason, Parcel 30A4-A-39 Birchtown Lane for a variance from Article 6, section 6.15 of the zoning ordinance of the Town of Chincoteague. The applicant wishes to construct a residence on said parcel. The structure will be located 6.5' from both side lot lines. Non-conforming side lot lines require a minimum of 10' side yard setback on the east side and 7.8' on the west side. This property is zoned C-1.

**Appeal 15-03-2** A request from Daniel E. Whealton, 7355 Whealton Ct. for a variance from Article 3, section 3.9.3 (2) of the zoning ordinance of the Town of Chincoteague. The applicant has placed a manufactured home on said lot 17' from the rear lot line. Current zoning requires a minimum 25' rear yard setback. This property is zoned R-3.

Kenny L. Lewis  
Zoning Administrator

**MINUTES OF THE MEETING FEBRUARY 12, 2015  
CHINCOTEAGUE BOARD OF ZONING APPEALS**

**MEMBERS PRESENT:**

Mr. Jessi Speidel  
Mr. Robert Cherrix  
Mr. Edward Moran  
Mr. Jack Gilliss  
Mr. Chuck Ward

**MEMBERS ABSENT:**

Mr. Mike McGee  
Mr. Donnie Thornton

Kenny L. Lewis, Staff Support

**1. Call to Order**

Mr. Speidel called the meeting to order at 7:00 pm.

**2. Approval of Minutes of May 8, 2014**

Motion by Mr. Moran to approve the minutes of May 8, 2014 . Second by Mr. Cherrix. All in favor. Motion carried.

**3. Appeal 15-02-1** A request from David Misher, 8243 Bay Front Lane for a variance from Article 6, section 6.5.2 of the zoning ordinance of the Town of Chincoteague. The applicant has constructed a 13' x 27' camper addition on said property. The structure is placed 0' from the west side lot line. Current zoning requires the structure be placed no closer than 5' from said lot line. Additionally, the addition is 351 square feet in area larger than that permitted. Current zoning prohibits additions to campers to exceed 100% the size of the camper in the traveling mode. Prior to this addition, the 100% limit was met. The property is located in R-4 Resort Residential.

**4. Public Comments on Appeal**

Mr. Misher spoke on his own behalf. Mr. Misher advised he built this structure to set under with his picnic tables. The sea gulls take all of his food when they are trying to eat outside.

Mr. Misher advised he was aware of the ordinance but built it anyway. He advised he was at the mercy of the Board. Mr. Misher advised he has been coming to Chincoteague since 1959.

Mr. Misher advised he did not build the addition cheap. It has all the necessary hurricane straps installed.

##### 5. Board Action on Appeal

Mr. Gilliss requested Mr. Lewis to explain the reason of the appeal. Mr. Lewis advised that there is a minimum 5' side yard setback. Mr. Misher built the structure 0' from the side lot line. Also zoning prohibits additions on campers that exceed 100% the size of the camper in the traveling mode. With the old addition and the new addition he is exceeding the limit by 351 sq. ft.

Mr. Gilliss asked Mr. Lewis if the original addition met zoning. Mr. Lewis advised yes.

Mr. Gilliss asked who owned the adjoining lot. Mr. Misher could not remember his name.

Mr. Gilliss questioned Mr. Misher if he obtained a permit prior to building it. Mr. Misher advised no.

Mr. Ward asked if the carport was a foot away from the lot line to account for the overhang of the roof. Mr. Misher advised yes. Mr. Ward questioned if the entire structure is on his property. Mr. Misher advised, yes it was right on the property line.

Mr. Ward advised Mr. Misher that on the application he answered the question "Is the property subject to any legal action including building code violations, zoning code violation or any pending court order" and "Has any development, construction or other activity occurred on the subject property while under the current ownership which does not comply with any provision of the code?" as no. Mr. Misher advised the answer should have been yes.

Mr. Cherrix questioned Mr. Misher if he considered an awning. He advised he had thought about it but his friends advised they don't hold up in the winds we get.

Mr. Speidel questioned Mr. Lewis if he had kept the post 5' from the lot line and not attached it to the camper would that be allowed. Mr. Lewis advised that the maximum accessory structure size is 96 sq. ft. The structure he built is 351 sq. ft.

Mr. Speidel advised that there are several violations on this property. He felt that the regulations should be followed, therefore he is opposed to granting a variance. Although he did not want a "Sun setter" he did have an option to purchase one.

Mr. Ward felt he should support Town staff in enforcing the zoning regulations. He felt no hardship has been proven, it was built without permits and beyond the zoning provisions. Mr. Ward felt that there is no way this Board could vote to approve this variance as noted in state code, a demonstrable hardship must be proven, in which has not been proven here. Mr. Ward felt this is a "want ship" and not a hardship.

Mr. Moran felt that he could not approve the request due to building it without permits and violating the zoning regulations.

Mr. Cherrix agreed with the others and could not seeing approval of this request.

Motion by Mr. Ward, second by Mr. Cherrix to deny the appeal. All in favor.  
Motion carried.

6. Adjournment

Mr. Speidel adjourned the meeting.

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Jessi Speidel, Chairman

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**TOWN OF CHINCOTEAGUE  
BOARD OF ZONING APPEALS APPLICATION**



APPEAL CASE NUMBER: 15-03-1 FEE: \$ 450.00

APPLICANT/APPELLANT NAME: Sheldon & Karen Mason

ADDRESS: PO Box 1213 Chincoteague VA 23334

PHONE NUMBER 757-894-0413 E-MAIL KLMASON60@gmail.com

OWNER/APPELLANT SIGNATURE: [Signature] DATE February 13, 2015

ADDRESS OF PROPERTY: Birchtown LN

TAX MAP#: 30A4-A-39 PARCEL# 39 LOT SIZE: 37.12/41.23 X 230.9/248

ZONING DESIGNATION: C-1 DATE ACQUIRED: August 2005

THE APPLICANT/APPELLANT REQUEST THAT A HEARING BE CONDUCTED BEFORE THE BOARD OF ZONING APPEALS FOR THE FOLLOWING PURPOSE:

☒ VARIANCE FROM ZONING REGULATIONS

( ) APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR

( ) INTERPRETATION OF THE ZONING DISTRICT BOUNDARIES

( ) APPEAL OF A ZONING VIOLATION NOTICE

( ) SPECIAL EXCEPTION

( ) APPEAL FROM ANY ORDER, REQUIREMENT, DECISION, OR DETERMINATION MADE BY ANY OTHER ADMINISTRATIVE OFFICIAL

( ) REVOCATION OF SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.

( ) APPEAL FROM FLOOD PLAIN ORDINANCE

SECTIONS OF ZONING ORDINANCE UNDER APPEAL:

SEC. 6.15 NONCONFORMING LOTS, 2nd paragraph

PLEASE PROVIDE A BRIEF DESCRIPTION OF THE GROUNDS FOR THE APPEAL, SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.

ATTACH ADDITIONAL PAGES IF NECESSARY.

IF THE APPLICATION IS FOR A VARIANCE, ANSWER QUESTIONS 1-9 ON THE FOLLOWING PAGES.

Lot does not meet current zoning.

I would like a variance for setbacks on each side to 6.5' from property line

The house will be 24' wide x 38' long.

The house will meet the front and rear setbacks.

PLEASE PROVIDE RESPONSES AND EXPLANATIONS WHERE APPLICABLE TO THE FOLLOWING:

QUESTIONS 1-9 MUST BE ANSWERED FOR A VARIANCE REQUEST.

1. IS THE PROPERTY EXCEPTIONALLY NARROW OR SHALLOW OR POSSESS AN IRREGULAR SHAPE OR SIZE WHICH EXISTED PRIOR TO THE ADOPTION OF THE ZONING REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?

☒ YES      ☐ NO

EXPLANATION: Lot is too narrow to meet current zoning for  
a home. I need a variance for a 6.5 setback  
on each side. Lot has been in family for  
over 100 years.

2. DOES THE SUBJECT PROPERTY HAVE EXCEPTIONAL TOPOGRAPHIC CONDITIONS OR SOME OTHER EXTRAORDINARY SITUATION OR CONDITION WHICH IS UNLIKE OTHER PROPERTIES IN THE IMMEDIATE VICINITY SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY.

☒ YES      ☐ NO

EXPLANATION: Properties on left side of my property are  
all narrow like my property and would not  
meet current zoning for residential use

3. IS THERE SOME PARTICULAR CONDITION, SITUATION OR DEVELOPMENT ON THE PROPERTY IMMEDIATELY ADJACENT TO THE SUBJECT PROPERTY WHICH AFFECTS THE SUBJECT PROPERTY'S ABILITY TO COMPLY WITH THE REGULATION(S) FROM WHICH THE VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?

☐ YES      ☒ NO

EXPLANATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



4. ON THE FACTS RELATIVE TO THE APPLICANT'S PROPERTY, WOULD THE GRANTING OF THE VARIANCE ALLEVIATE A CLEARLY DEMONSTRABLE HARDSHIP, AS DISTINGUISHED FROM A SPECIAL PRIVILEGE OR CONVENIENCE FOR THE APPLICANT?

( ) YES

(X) NO

EXPLANATION:

5. WOULD THE GRANTING OF A VARIANCE CREATE SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY AND CHANGE THE CHARACTER OF THE ZONING DISTRICT?

( ) YES

(X) NO

EXPLANATION:

6. IS THE HARDSHIP FROM WHICH A VARIANCE IS SOUGHT, SHARED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICTS AND THE SAME VICINITY?

( ) YES

(X) NO

EXPLANATION:

7. DESCRIBE THE LAND-USE HARDSHIP WHICH HAS LIMITED THE USE OF THE PROPERTY, IF DIFFERENT FROM THE RESPONSE IN QUESTIONS 1-4 ABOVE.

EXPLANATION: N/A

8. IF A RESPONSE OF "YES" IS PROVIDED FOR QUESTIONS #1, #2, #3 OR #4 ABOVE, NEVERTHELESS, IS THERE ANY REASONABLE BENEFICIAL USE FOR THE PROPERTY AS A WHOLE UNDER THE CURRENT REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT?

( ) YES

☒ NO

EXPLANATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. IF A RESPONSE OF "NO" IS PROVIDED FOR QUESTIONS #1, #2, #3 AND #4 ABOVE, OR A RESPONSE OF "YES" IS PROVIDED FOR QUESTIONS #5, #6 OR #8, THE APPLICANT IS HEREBY ADVISED THAT THE CHINCOTEAGUE BOARD OF ZONING APPEALS, UNDER APPLICABLE STATE LAW AND THE ZONING CODE, WILL HAVE INSUFFICIENT LEGAL GROUNDS FOR GRANTING A VARIANCE. THE APPLICANT DOES, HOWEVER, HAVE LEGAL RIGHT TO PRESENT THEIR CASE TO THE BOARD FOR ITS CONSIDERATION.

10. HAS ANY DEVELOPMENT, CONSTRUCTION OR OTHER ACTIVITY OCCURRED ON THE SUBJECT PROPERTY WHILE UNDER THE CURRENT OWNERSHIP WHICH DOES NOT COMPLY WITH ANY PROVISION OF THE Code?

( ) YES

☒ NO

EXPLANATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. HAS A VARIANCE BEEN REQUESTED FOR THE SUBJECT PROPERTY WITHIN THE LAST 12 MONTHS.

( ) YES

☒ NO

EXPLANATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12. IS THE PROPERTY SUBJECT TO ANY LEGAL ACTION INCLUDING BUILDING CODE VIOLATIONS, ZONING CODE VIOLATION OR ANY PENDING COURT ORDER?**

**( ) YES**

**~~(X)~~ NO**

**EXPLANATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13. THE APPLICANT IS ADVISED TO REVIEW THE ATTACHED SECTIONS OF THE TOWN OF CHINCOTEAGUE ZONING CODE IN ORDER TO FURTHER UNDERSTAND THE LEGAL REQUIREMENTS REGARDING APPEALS, VARIANCE AND SPECIAL EXCEPTIONS. IF THE OWNER OF THE PROPERTY ELECTS REPRESENTATION BEFORE THE BOARD BY LEGAL COUNSEL, AGENT OR OTHERS ACTING ON BEHALF OF THE OWNER, THE FOLLOWING INFORMATION MUST BE PROVIDED:**

**REPRESENTATIVE'S NAME:** \_\_\_\_\_

**REPRESENTATIVE'S ADDRESS:** \_\_\_\_\_

**REPRESENTATIVE'S PHONE NUMBER:** \_\_\_\_\_

**REPRESENTATIVE'S EMAIL:** \_\_\_\_\_

**14. ATTACH ANY APPLICABLE SITE PLANS, BUILDING ELEVATIONS, GRADING PLANS, SEWERAGE LOCATIONS OR OTHER INFORMATION THAT MAY ASSIST THE BOARD IN THEIR CONSIDERATION OF THE MATTER.**

**OFFICIAL USE ONLY**

**DATE:** \_\_\_\_\_

**APPEAL #** \_\_\_\_\_

**MOTION ON APPEAL:** \_\_\_\_\_

☐ **APPROVED**

☐ **DENIED**

☐ **CONDITIONALLY APPROVED;**

**FOR :**

☐ **JESSIE SPEIDEL** ☐ **DONNIE THORNTON** ☐ **ROBERT CHERRIX**

☐ **MIKE MCGEE** ☐ **JACK GILLISS** ☐ **CHUCK WARD** ☐ **EDDIE MORAN**

**AGAINST:**

☐ **JESSIE SPEIDEL** ☐ **DONNIE THORNTON** ☐ **ROBERT CHERRIX**

☐ **MIKE MCGEE** ☐ **JACK GILLISS** ☐ **CHUCK WARD** ☐ **EDDIE MORAN**

PLEASE INDICATE YOUR APPROVAL OR DISAPPROVAL OF THE PROPOSED LAND USE AS STATED IN THE APPLICATION BY CHECKING THE APPROPRIATE SPACE. SPECIFY THE LOCATION OF YOUR PROPERTY; NORTH, EAST, SOUTH OR WEST OF THE APPLICANTS PROPERTY.

TAX MAP # 30A4-A-38

NAME: Brian or Lisa Bowden Hall

ADDRESS: 4044 Birchtown Ln, Chincoteague

PHONE: \_\_\_\_\_

COMMENTS:

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # 30A4-A-40

NAME: Billy Reed Inc

ADDRESS: 4079 Sunnywood Dr

PHONE: \_\_\_\_\_

COMMENTS:

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # 30A4-A-40H, 30A4-A-34

NAME: Billy Reed & Son LLC

ADDRESS: 4079 Sunnywood Dr

PHONE: \_\_\_\_\_

COMMENTS:

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

X copy to her

TAX MAP #	30A4-A-35
NAME:	Marguerite CVR
ADDRESS:	403 Boyd Ave Takoma Park Md 20912
PHONE:	
COMMENTS:	
( ) APPROVE REQUEST ( ) DISAPPROVE REQUEST	
SIGNATURE:	DATE:

TAX MAP #	
NAME:	
ADDRESS:	
PHONE:	
COMMENTS:	
( ) APPROVE REQUEST ( ) DISAPPROVE REQUEST	
SIGNATURE:	DATE:

TAX MAP #	
NAME:	
ADDRESS:	
PHONE:	
COMMENTS:	
( ) APPROVE REQUEST ( ) DISAPPROVE REQUEST	
SIGNATURE:	DATE:

[Search](#)
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[Map](#)

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[\*\*Map Layers\*\*](#)

[Temporary Markup](#)

[XY Location](#)

[Accomack/Public](#)

20% Transparent

- ☒ County Boundaries
- ☒ Road Labels
- ☒ Town Labels

**Detail Layers**

- ☐ Parcels
- ☒ Parcel Labels
- ☐ Street Addresses
- ☐ Wallops Island Transit Ove
- ☐ Airport Overlay District
- ☐ Agric. & Forestal District La
- ☐ Chesapeake/Atlantic Prese
- ☐ Future Land Use (2008 Cor
- ☐ NWI Wetlands
- ☐ Enterprise Zones
- ☐ Election Districts
- ☐ Voting Precincts

Search

Results

Details

Map

Map Layers

Results

☒ Accomack/Public

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☒ County Boundaries

☒ Road Labels

☒ Town Labels

☒ Detail Layers

☒ Parcels

☐ Parcel Labels

☐ Street Addresses

☐ Wallops Island Transit Ove

☐ Airport Overlay District

☐ Agric. & Forestal District La

☐ Chesapeake/Atlantic Prese

☐ Future Land Use (2008 Coi

☐ NWI Wetlands

☐ Enterprise Zones

☐ Election Districts

☐ Voting Precincts

Tools

Print

Bookmarks

Tax Map #: 30A4-A-39

Finished SqFt:

Year Built:

Assessment: 135,000

[\(View Property Details\)](#)

Summary

Dimensions

What's Nearby?

Photo Not Available

62.5 ft

Deg Min Sec

Lon (X): 75° 22' 46.00"W

Lat (Y): 37° 00' 00.00"N



**SITE PLAN**

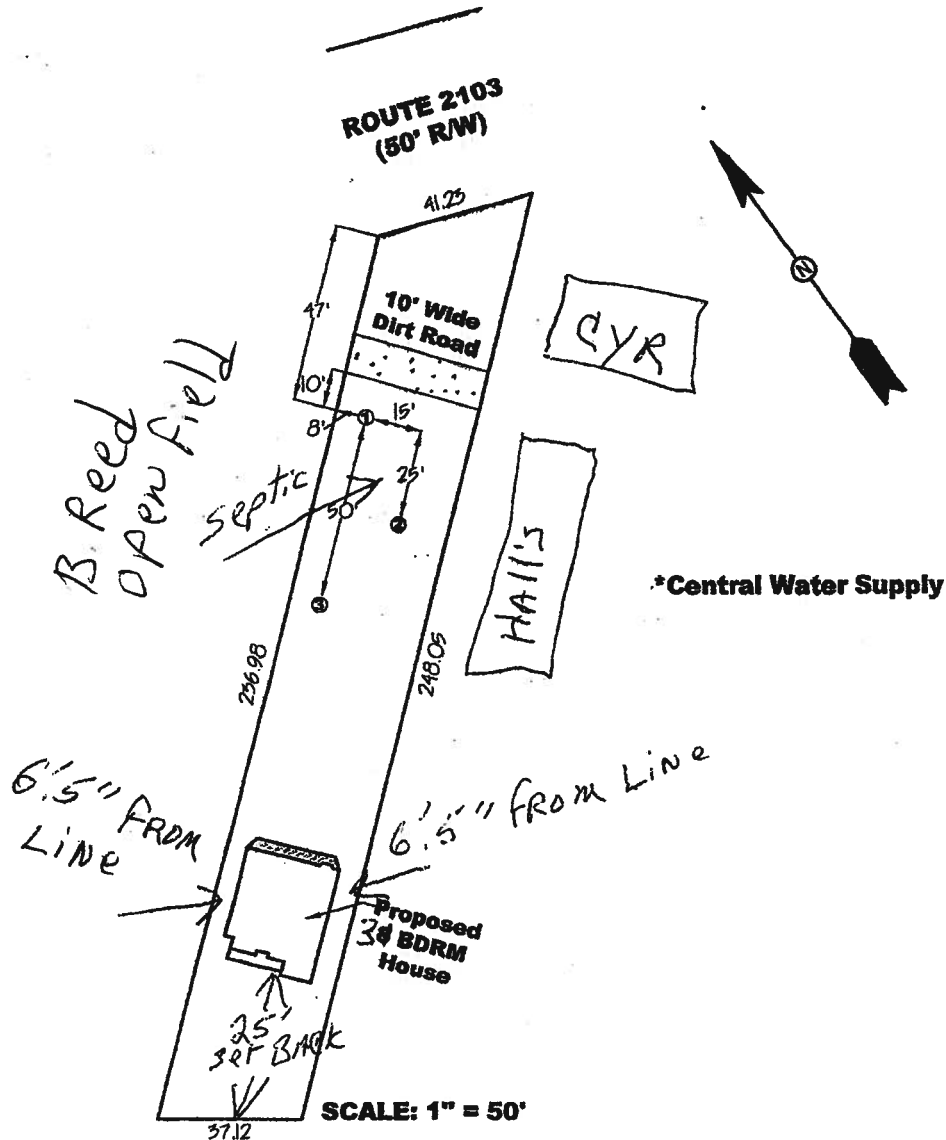
PAGE 2 OF 7

H.D.I. # 06-103-0921

Tax Map # 30A4((A))39

Parcel 39

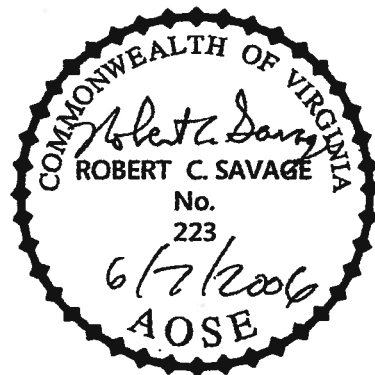
8,730 sq. ft. / 0.20 Ac.



Open Field  
B. Reed

**AFFORDABLE  
SEPTIC  
SOLUTIONS, INC.**

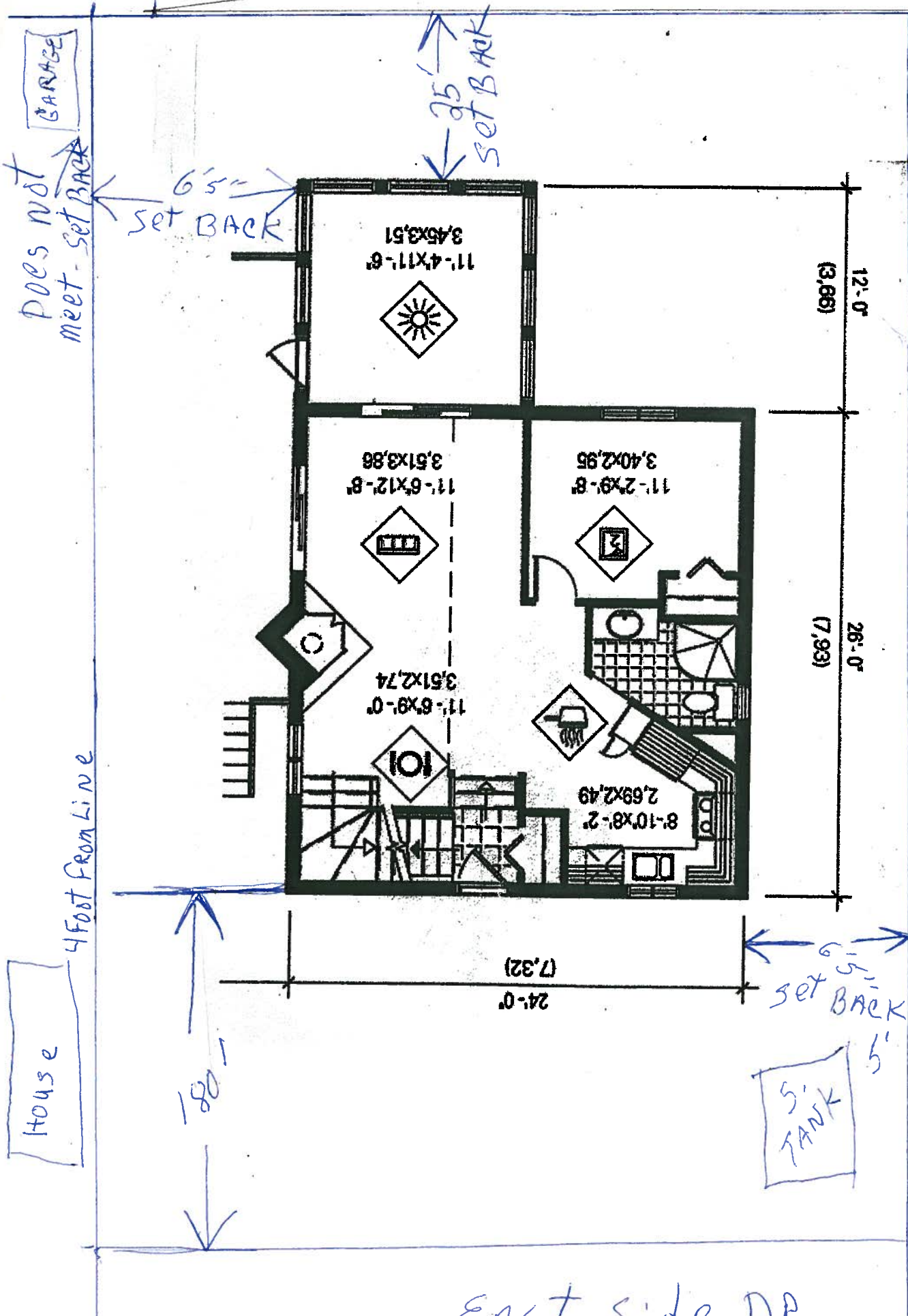
PO Box 676 • Melfa, VA 23410  
(757) 787-1191 • Fax (757) 787-7287



B. Reed

OPEN Field

B. Reed  
OPEN Field



set back 25'

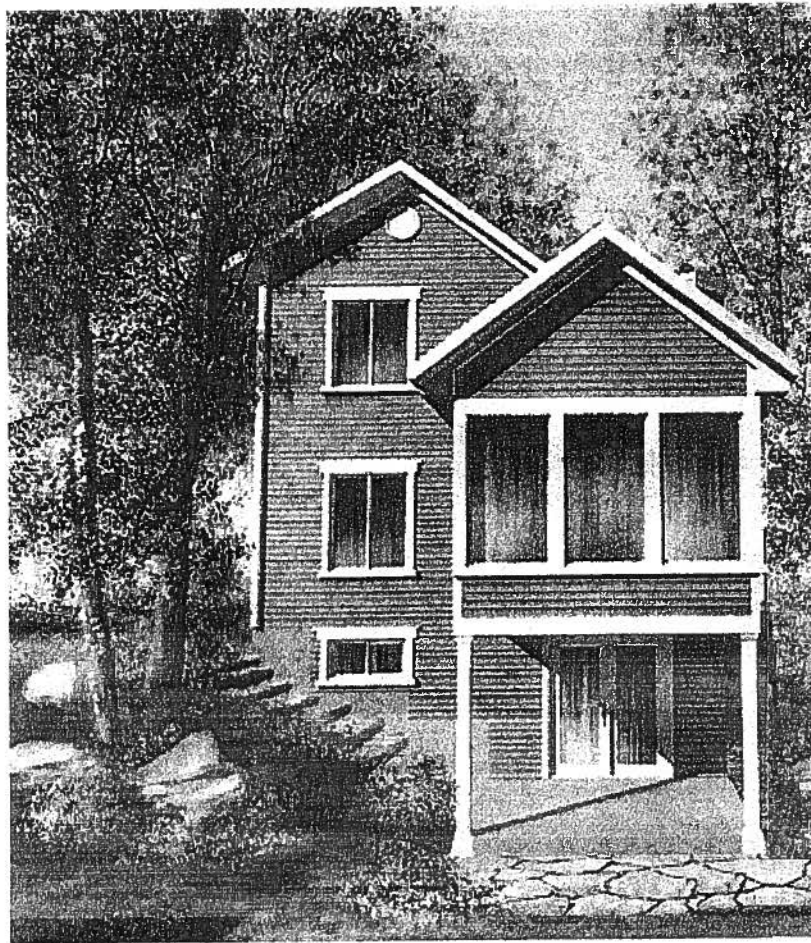
## LOCATION OF EXISTING & PROPOSED CONSTRUCTION

- (1). DRAW AN OUTLINE OF EXISTING BUILDINGS(S) AND INDICATE DISTANCES FROM THE BUILDING(S) TO THE FRONT, REAR AND SIDE PROPERTY LINES.
- (2). DRAW AN OUTLINE OF THE PROPOSED STRUCTURE USING DASHED LINES AND INDICATE DISTANCES TO THE OTHER BUILDINGS AND TO ALL PROPERTY LINES.
- (3). DRAW LOCATION OF SEPTIC SYSTEM.

=====

SITE PLAN

Tex Map#  
30A4-A-39  
BIRCHTOWN LANE



House is 24' wide

# Commonwealth of Virginia

## Application for a Sewage Disposal System Certification Letter

 Type of sewage system: ☒ New ☐ Repair ☐ Expanded ☐ Conditional (VDH Use) 06-100-0991

Accomack County Health Department

Health Dept ID # 6-15-06Date: Tax Map # 30A4((A))39

## To Be Completed By The Applicant

Owner Sheldon L. Mason Address P.O. Box 1213 Phone \_\_\_\_\_  
Chincoteague, VA 23336

Agent Affordable Septic Solutions, Inc. Address P.O. Box 676 Phone 757-787-1191  
Melfa, VA 23410

 Directions to Property: Chincoteague - Main St. to Bunting to East Side Drive; Property on right just past Sunnywood Drive

 Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Parcel 39  
 Other Property Identification \_\_\_\_\_ Tax Map No. 30A4((A))39  
8,730 sq. ft.

<b>Building/facility</b>	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Existing	
Intermittent Use	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, describe _____
<b>Residential Use</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Termite Treatment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	
	<u>8</u> Number of bedrooms	<u>1</u> Number of Units	
Basement	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Fixtures in Basement	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
<b>Commercial Use</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Describe: _____
<b>Commercial Wastewater</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Number of Patrons _____ Number of Employees _____

If yes, give volumes and describe \_\_\_\_\_

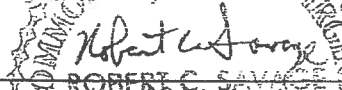
## Proposed Sewage Disposal Method:

 Onsite Sewage Disposal System: \_\_\_\_\_ Septic Tank & Drainfield \_\_\_\_\_ LPD \_\_\_\_\_ Mound ☒ Other\*  
 \_\_\_\_\_ VDH - Approved Secondary Treatment Peat Filter System:

## Water Supply:

☒ Public ☐ New ☐ Existing  
☐ Private ☐ New ☒ Existing
Describe: Chincoteague Town Water Supply

The property lines, building location, and sewage disposal system site are clearly marked and the property is sufficiently visible to see the topography. I give permission to the Department to enter onto the property described for the purpose of processing this application and to perform quality assurance checks of evaluations and designs certified by an AUSE or its as necessary until the sewage disposal system has been constructed and approved.

  
 Signature of Owner/Agent  
 No. 223  
6/7/2006  
 AUSE

7-Jun-2006

Date

**SITE PLAN**

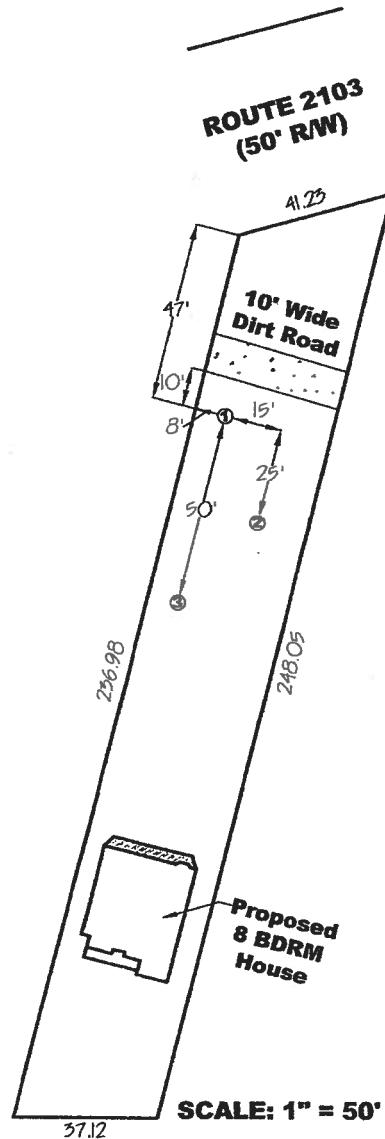
PAGE 2 OF 7

H.D.I. # 06-103-0991

Tax Map # 30A4((A))39

Parcel 39

8,730 sq. ft. / 0.20 Ac.

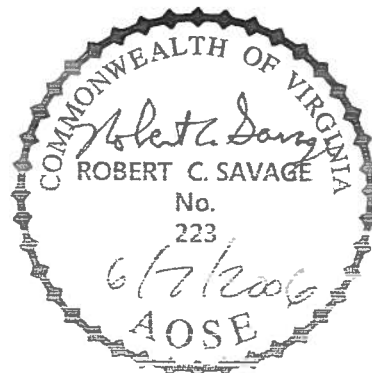


\*Central Water Supply



**AFFORDABLE  
SEPTIC  
SOLUTIONS, INC.**

PO Box 676 • Melfa, VA 23410  
(757) 787-1191 • Fax (757) 787-7287



# Soil Evaluation Form

PAGE 3 OF 7

Commonwealth of Virginia  
Department of Health

Health Department  
Identification Number 06-100-0441  
Tax Map Number 30A4((A))39

## General Information

Date 5/11/2006 Accomack County Health Department  
Applicant \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Address \_\_\_\_\_  
Owner Sheldon L. Mason Address P.O. Box 1213, Chincoteague, VA 23336  
Location East Side Drive, Chincoteague, VA 23336  
Subdivision \_\_\_\_\_ Block/Section \_\_\_\_\_ Lot Parcel 39

## Soil Information Summary

1. Position in landscape satisfactory Yes ☒ No ☐ Describe Relatively Flat
  2. Slope 0 - 0.5 %
  3. Depth to rock/impervious strata Max. \_\_\_\_\_ Min. \_\_\_\_\_ None ☒
  4. Depth to seasonal water table (gray mottling or gray color) No ☐ Yes ☒ 18 inches
  5. Free water present No ☐ Yes ☒ 34 - 42 range in inches
  6. Soil percolation rate estimated Yes ☒ Texture group ☒ I ☐ II ☐ III ☐ IV  
No ☐ Estimated rate 15 min/in
  7. Percolation test performed Yes ☐ Number of percolation test holes \_\_\_\_\_  
No ☒ Depth of percolation test holes \_\_\_\_\_  
Average percolation rate \_\_\_\_\_
- Name and title of evaluator Kenneth W. Greene, Soil Specialist, Affordable Septic Solutions, Inc.  
Signature Kenneth W. Greene

## Department Use

- ☒ Site Approved: Drainfield to be placed at 6" depth at site designated on permit  
☐ Site Disapproved:

Reasons for rejection:

1. ☐ Position in landscape subject to flooding or periodic saturation.
2. ☐ Insufficient depth of suitable soil over hard rock.
3. ☐ Insufficient depth of suitable soil to seasonal watertable.
4. ☐ Rates of absorption too slow.
5. ☐ Insufficient area of acceptable soil for required drainfield, and/or Reserve Area.
6. ☐ Proposed system too close to well.
7. ☐ Other Specify \_\_\_\_\_



**Profile Description**  
**SOIL EVALUATION REPORT**

Date of Evaluation 05/11/2006

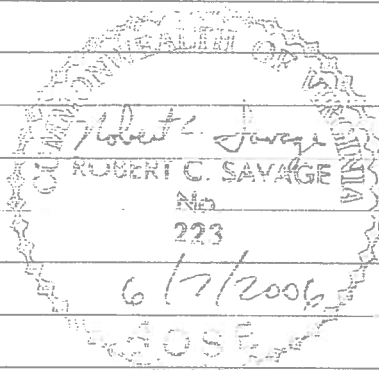
Health Department Identification No. 06-100-0991

Page 4 of 7

Where the local health department conducts the soil evaluation the location of the profile holes may be shown on the schematic drawing on the construction permit or the sketch submitted with the application. If soil evaluations are conducted by a private soil scientist, location of profile holes and sketch of the area investigated including all structural features i.e., sewage disposal systems, wells, etc., within 100 feet of site (See section 4) and reserve site shall be shown on the reverse side of this page or prepared on a separate page and attached to this form.

☒ See Application      ☐ See Construction permit      ☐ See sketch on the reverse side or page attached to this form

Hole #	Horizon	Depth (in.)	Description of, color, texture, etc.	Texture Group
1	Ap	0-8	10YR 4/3 Brown Fine Sand	I
	C1	8-20	10YR 6/4 Light Yellowish Brown Fine Sand	I
	C2	20-24	10YR 6/4 Light Yellowish Brown Fine Sand with 10YR 6/6 Brownish Yellow mottles	I
	C3	24-38	10YR 6/4 Light Yellowish Brown Fine Sand with 10YR 6/6 Brownish Yellow and 10YR 5/2 Grayish Brown mottles	I
		38-	Free Water at 34" Sloughing	
2	Ap	0-12	10YR 4/3 Brown Fine Sand	I
	C1	12-24	10YR 6/4 Light Yellowish Brown Fine Sand	I
	C2	24-33	10YR 6/4 Light Yellowish Brown Fine Sand with 10YR 6/6 Brownish Yellow and 10YR 4/2 Dark Grayish Brown mottles	I
	C3	33-42	10YR 5/3 Brown Fine Sand with 10YR 5/8 Yellowish Brown and 10YR 6/2 Light Brownish Gray mottles	I
	C4	42-46	Free Water at 42" 10YR 4/3 Brown Fine Sand with 10YR 5/2 Grayish Brown and 10YR 6/2 Light Brownish Gray mottles	I
		46-	Sloughing	
3	Ap	0-6	10YR 4/3 Brown Fine Sand	I
	C1	6-18	10YR 6/4 Light Yellowish Brown Fine Sand	I
	C2	18-28	10YR 6/4 Light Yellowish Brown Fine Sand with 10YR 5/6 Yellowish Brown and few 10YR 6/2 Light Brownish Gray mottles	I
	C3	28-48	10YR 5/2 Grayish Brown Fine Sand with 10YR 5/8 Yellowish Brown and 10YR 6/3 Pale Brown mottles	I
		48-	Free Water at 42" Sloughing	





# Commonwealth of Virginia

## Abbreviated Design Calculations

Health Department ID# 06-100-0491 (VDH Use)**PROPERTY IDENTIFICATION**

Name of property / site: Sheldon L. Mason

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot Parcel 39

Other Property Identification \_\_\_\_\_ 8,730 sq. ft. Tax Map No. 30A4((A))39

**DESIGN BASIS**

A. Estimated percolation rate: 15 mpi

B. Pad square footage required: \_\_\_\_\_ (based on X Gravity or \_\_\_\_\_ LPD)

GPD/SQ Ft 1.66

C. Number of bedrooms: 8 (at 150 gallons/bedroom ) Total flow from bedrooms: 1200 gpd

Other: \_\_\_\_\_ (at \_\_\_\_\_ gpd ) Total flows from other sources: 0 gpd

\_\_\_\_\_ (at \_\_\_\_\_ gpd ) Total Sewage Flows = 1200 gpd

\_\_\_\_\_ (at \_\_\_\_\_ gpd )

**AREA CALCULATIONS**

D. Length of pad: 50 ft (length of available area 50 ft )

E. Width of pad: 15 ft

F. Number of trenches: N/A

G. Center-to-center spacing: N/A ft

H. Required width of pad: <=6:1 ft (width of available area 15 ft )

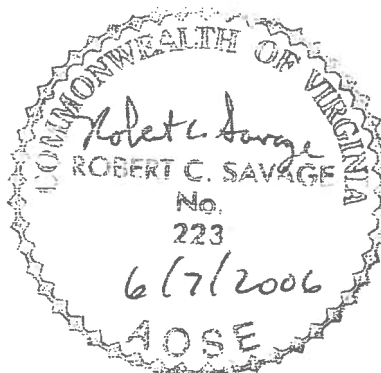
I. Total area required: 723 sf

J. Square footage in design: 750 sf

K. Is a reserve area required? Yes X No: \_\_\_\_\_

Size: \_\_\_\_\_ % Area provided: \_\_\_\_\_

Type: VDH-Approved Peat Filter Secondary Treatment System



**CERTIFICATION LETTER**

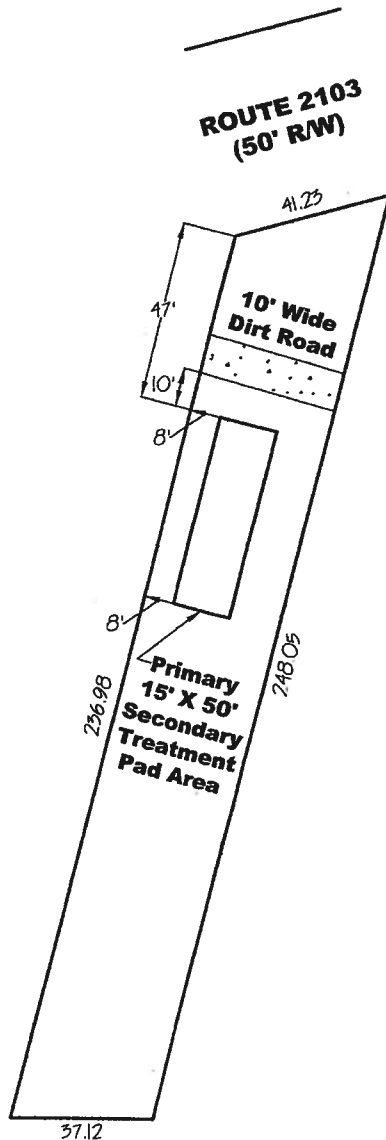
PAGE 6 OF 7

H.D.I. # 06-100-0991

Tax Map # 30A4((A))39

Parcel 39

8,730 sq. ft. / 0.20 Ac.



**\*Central Water Supply**

**\*Proposed Sewage system site must be 10'+ from any permanent foundation.**

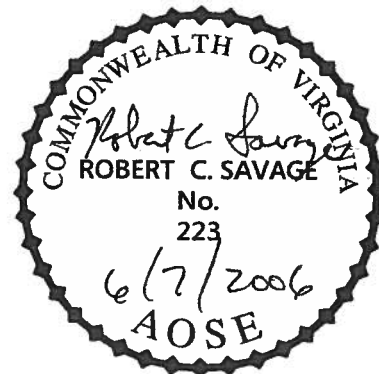
**\*Proposed sewage disposal system to be designed for a eight (8) bedroom residence. Secondary Treatment is required.**

**SCALE: 1" = 50'**



**AFFORDABLE  
SEPTIC  
SOLUTIONS, INC.**

PO Box 676 • Melfa, VA 23410  
(757) 787-1191 • Fax (757) 787-7287



# Commonwealth of Virginia

## Certification Statement

Health Department ID# 06-100-0991 (VDH Use)**PROPERTY IDENTIFICATION**

County: Accomack County Date: 6/7/2006

Name of property / site: Sheldon L. Mason

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Parcel 39

Other Property Identification 8,730 sq. ft. Tax Map No. 30A4((A))39

Submitted by: Affordable Septic Solutions, Inc., Robert C. Savage, A.O.S.E. # 223

**CERTIFICATION OF WORK**

This is to certify according to S32.1-163.5 of the *Code of Virginia* that work submitted from the referred property is in accordance to and complies with the *Sewage Handling and Disposal Regulations* of the Virginia Department of Health. I recommend this lot be approved for a Certification Letter.

AOSE Robert C. SavageDate: 6/7/2006Soil Consultant No. 223

Date: \_\_\_\_\_

If the submission contains a certification by a professional engineer in consultation with an AOSE, the following statement shall be signed and sealed:

**CERTIFICATION OF EVALUATION AND DESIGN**

I hereby certify that the evaluations and designs contained herein (refer to subdivision, lot, etc.) were conducted in accordance with the *Sewage Handling and Disposal Regulations* (12 VAC 5-610-10 et seq., the "Regulations") and the policies of the Virginia Department of Health for implementation of those *Regulations*. Furthermore, I certify that the evaluations and designs comply with the minimum requirements of the *Regulations*.

I recommend a permit / certification letter / subdivision approval be approved.

Licensed PE: \_\_\_\_\_

Date: \_\_\_\_\_

SEAL

copy



## TOWN OF CHINCOTEAGUE, INC.

January 20, 2015

Shelly Mason  
P.O. Box 1232  
Chincoteague VA 23336

Proposed Site Plan For Parcel # 30A4-A-39

Dear Mr. Mason,

I reviewed your site plan to place a residence on your parcel located at the above address.

Current zoning requires a minimum 10' side yard setback or the average of the structures on either side.

The average side yard setback on the left side is 10'. The average side yard setback on the right side is 7.8'.

The site plan you submitted identifies a 6.5' side yard setback on both sides.

Therefore your request has been denied.

You have the right to appeal for a variance to the Board of Zoning Appeals if you so desire. Such appeal must be submitted within 30 days of this notice. Failure to appeal within 30 days voids such right.

If you have any questions regarding this matter please give me a call.

Sincerely,

Kenny L. Lewis  
Zoning Administrator

January 20, 2015

Shelly Mason  
P.O. Box 1232  
Chincoteague VA 23336

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Therefore your request has been denied.

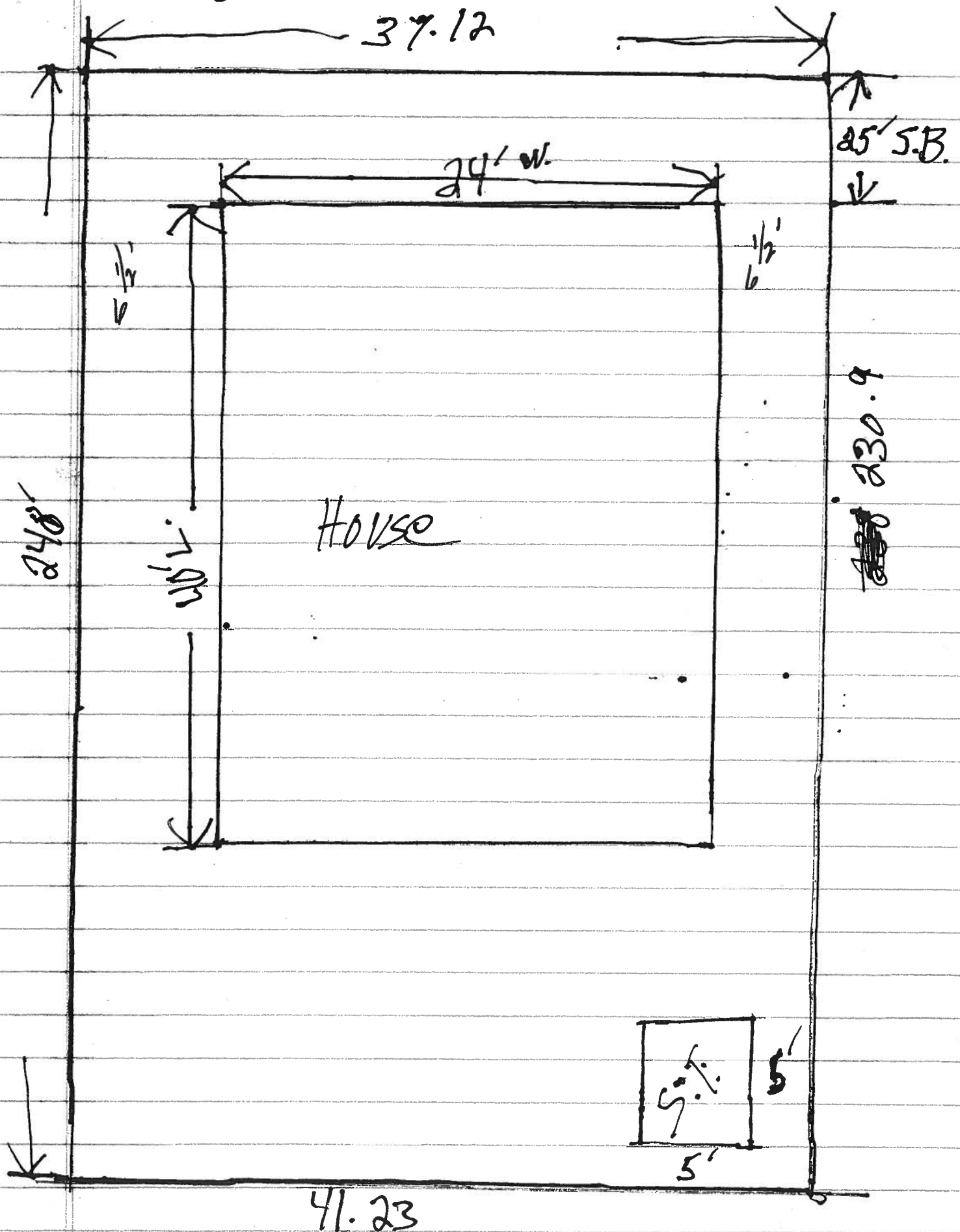
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If you have any questions regarding this matter please give me a call.

Sincerely,

Kenny L. Lewis  
Zoning Administrator

Shelly MASON - BRICK TOWN 894-0413



copy

January 20, 2015

**CERTIFIED MAIL**

Dear Neighbor:

This notice is to advise you that I will be appearing before the Chincoteague Board of Zoning Appeals to request a variance from Article 6 section 6.15 of the Town's Zoning Ordinance.

I wish to construct a single family dwelling on my parcel, Parcel # 30A4-A-39 Birchtown Lane.

Current zoning requires placement of such structure be not closer than 10' from my side lots lines or the average of the adjoining structures. The average side yard setback on the left side is 10'. The average side yard setback on the right side is 7.8'. The proposed structure will be placed 6.5' from both side yard lot lines.

As an adjoining property owner, the Board of Zoning Appeals requires that you be notified of this request.

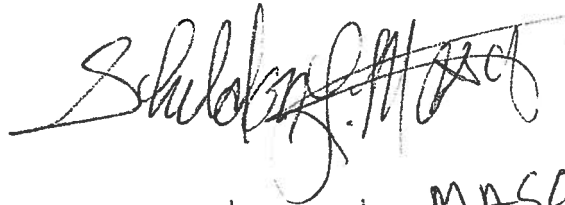
Please complete the enclosed notification form and return it to: Kenny L. Lewis, Zoning Administrator, Town of Chincoteague, 6150 Community Drive, Chincoteague Island VA 23336.

The meeting will be held on February 12, 2015 at 7:00 p.m. in the Council chambers located at the above address.

You may contact me at 757-894-0413 or Kenny L. Lewis, Zoning Administrator for the Town of Chincoteague at 757-336-6519 if you have any questions or concerns regarding this matter.

Your attention in responding to this request is appreciated.

Sincerely,

  
Sheldon L. MASON

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

TAKOMA PARK MD 20912

Postage	\$ 5.75	0852
Certified Fee	\$3.30	02
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 11.75	
		01/20/2015

Sent To Marguerite Cyr  
 Street, Apt. No.,  
 or PO Box No. 403 Boyd Ave  
 City, State, ZIP+4 Takoma Park MD 20912  
 PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

CHINCOTEAGUE ISLAND VA 23035

Postage	\$ 0.49	0852
Certified Fee	\$3.30	02
Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	
		02/10/2015

Sent To Billy Reed INC  
 Street, Apt. No.,  
 or PO Box No. 4099 Sunnybrook Dr  
 City, State, ZIP+4 Chincoteague VA 23336  
 PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	
		02/10/2015

Sent To Lisa Borden Hall  
 Street, Apt. No.,  
 or PO Box No. 4044 Bicktown Lane  
 City, State, ZIP+4 Chincoteague VA 23336  
 PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™  
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Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	
		02/10/2015

Sent To Billy Reed + Son LLC  
 Street, Apt. No.,  
 or PO Box No. 4099 Sunnybrook Dr  
 City, State, ZIP+4 Chincoteague VA 23336  
 PS Form 3800, August 2006 See Reverse for Instructions



copy

January 20, 2015

**CERTIFIED MAIL**

Dear Neighbor:

This notice is to advise you that I will be appearing before the Chincoteague Board of Zoning Appeals to request a variance from Article 6 section 6.15 of the Town's Zoning Ordinance.

I wish to construct a single family dwelling on my parcel, Parcel # 30A4-A-39 Birchtown Lane.

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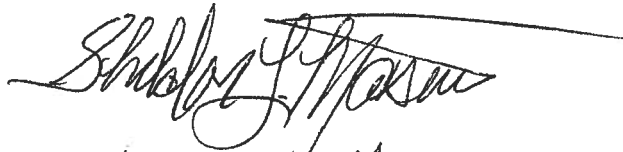
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The meeting will be held on <sup>March</sup> ~~February~~ 12, 2015 at 7:00 p.m. in the Council chambers located at the above address.

You may contact me at 757-894-0413 or Kenny L. Lewis, Zoning Administrator for the Town of Chincoteague at 757-336-6519 if you have any questions or concerns regarding this matter.

Your attention in responding to this request is appreciated.

Sincerely,

  
Sheldon L. Mason

**TOWN OF CHINCOTEAGUE  
BOARD OF ZONING APPEALS APPLICATION**



APPEAL CASE NUMBER: 15-03-2 FEE: \$ 450.00

APPLICANT/APELLANT NAME: Daniel E. Wheaton

ADDRESS: 7485 Beebe Rd

PHONE NUMBER 757 894 3492 E-MAIL \_\_\_\_\_

OWNER/APELLANT SIGNATURE: Daniel E. Wheaton DATE 2-13-15

ADDRESS OF PROPERTY: 7355 Wheaton Court

TAX MAP#: 30A2-A- PARCEL# 17A2 LOT SIZE: 88' X 172'

ZONING DESIGNATION: R-3 DATE ACQUIRED: March 27, 1995

THE APPLICANT/APELLANT REQUEST THAT A HEARING BE CONDUCTED BEFORE THE BOARD OF ZONING APPEALS FOR THE FOLLOWING PURPOSE:

- ☒ VARIANCE FROM ZONING REGULATIONS
- ☐ APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR
- ☐ INTERPRETATION OF THE ZONING DISTRICT BOUNDARIES
- ☒ APPEAL OF A ZONING VIOLATION NOTICE
- ☐ SPECIAL EXCEPTION
- ☐ APPEAL FROM ANY ORDER, REQUIREMENT, DECISION, OR DETERMINATION MADE BY ANY OTHER ADMINISTRATIVE OFFICIAL
- ☐ REVOCATION OF SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.
- ☐ APPEAL FROM FLOOD PLAIN ORDINANCE

SECTIONS OF ZONING ORDINANCE UNDER APPEAL:

Article 3, SECTION 3.9.3 (2) Requires 25' REAR  
Yard SETBACK. House placed 17' FROM REAR LOT LINE

PLEASE PROVIDE A BRIEF DESCRIPTION OF THE GROUNDS FOR THE APPEAL, SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.

ATTACH ADDITIONAL PAGES IF NECESSARY.

IF THE APPLICATION IS FOR A VARIANCE, ANSWER QUESTIONS 1-9 ON THE FOLLOWING PAGES.

SEE ATTACHED

Mr. Daniel Whealton  
7485 Beebe Road  
Chincoteague, VA 23336  
757-894-3492

February 17, 2015

Re: 7355 Whealton Court Property

To: Members of Zoning Appeals Board,

This winter we replaced an old single-wide 12' x 60' mobile home on aforesaid parcel with a 26' x 40' newer manufactured home. We placed the front of the home in the same place as the single-wide, and in line with the neighbor's double wide to the west of us, not realizing that we were in violation of the zoning code.

Mr. Kenny Lewis informed us that the structure could not be closer than 25' from our rear lot line. The rest of the house meets code and has all of its approvals and certifications.

The property to the north of us which is owned by Mildred "Cookie" Fox is low wetlands which, to this date, have never been developed.

We realize that we have made the error but would like you to consider a variance in this situation. Thank you for taking the time to review our specific case.

Sincerely,

A handwritten signature in cursive script that reads "Daniel Elvie Whealton". The signature is written in black ink and is positioned above the printed name.

Mr. Daniel "Elvie" Whealton

PLEASE PROVIDE RESPONSES AND EXPLANATIONS WHERE APPLICABLE TO THE FOLLOWING:

QUESTIONS 1-9 MUST BE ANSWERED FOR A VARIANCE REQUEST.

1. IS THE PROPERTY EXCEPTIONALLY NARROW OR SHALLOW OR POSSESS AN IRREGULAR SHAPE OR SIZE WHICH EXISTED PRIOR TO THE ADOPTION OF THE ZONING REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?

( ) YES

(☒) NO

EXPLANATION: The property which is 88' x 175', rectangular in shape, is not exceptionally narrow or shallow. The zoning regulations would not be a factor in this specific situation.

2. DOES THE SUBJECT PROPERTY HAVE EXCEPTIONAL TOPOGRAPHIC CONDITIONS OR SOME OTHER EXTRAORDINARY SITUATION OR CONDITION WHICH IS UNLIKE OTHER PROPERTIES IN THE IMMEDIATE VICINITY SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY.

( ) YES

(☒) NO

EXPLANATION: the subject property does not possess any topographic conditions or extraordinary situations, distinctly different than any other properties in the immediate area.

3. IS THERE SOME PARTICULAR CONDITION, SITUATION OR DEVELOPMENT ON THE PROPERTY IMMEDIATELY ADJACENT TO THE SUBJECT PROPERTY WHICH AFFECTS THE SUBJECT PROPERTY'S ABILITY TO COMPLY WITH THE REGULATION(S) FROM WHICH THE VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?

( ) YES

(☒) NO

EXPLANATION: There are no perceivable conditions, situations, or developments on the adjacent properties which would affect our ability to comply with the zoning regulations.

4. ON THE FACTS RELATIVE TO THE APPLICANT'S PROPERTY, WOULD THE GRANTING OF THE VARIANCE ALLEVIATE A CLEARLY DEMONSTRABLE HARDSHIP, AS DISTINGUISHED FROM A SPECIAL PRIVILEGE OR CONVENIENCE FOR THE APPLICANT?

( ) YES

(✓) NO

EXPLANATION: Due to human error we would not be viewed as a demonstrable hardship but rather a resolution from violation of code.

5. WOULD THE GRANTING OF A VARIANCE CREATE SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY AND CHANGE THE CHARACTER OF THE ZONING DISTRICT?

( ) YES

(✓) NO

EXPLANATION: The granting of a variance would in no way create detriments to adjacent properties. The land north of said property is an undeveloped wetland/lowland and the property to the west is already developed and will not be affected. If anything, where it is in line it would be more aesthetically attractive.

6. IS THE HARDSHIP FROM WHICH A VARIANCE IS SOUGHT, SHARED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICTS AND THE SAME VICINITY?

( ) YES

(✓) NO

EXPLANATION: After reviewing visually the area, we can't see where our hardship would be shared by any neighboring properties.

7. DESCRIBE THE LAND-USE HARDSHIP WHICH HAS LIMITED THE USE OF THE PROPERTY, IF DIFFERENT FROM THE RESPONSE IN QUESTIONS 1-4 ABOVE.

EXPLANATION: This specific property as aforementioned would not be considered a land-use hardship in reference to the limited use of the property.

8. IF A RESPONSE OF "YES" IS PROVIDED FOR QUESTIONS #1, #2, #3 OR #4 ABOVE, NEVERTHELESS, IS THERE ANY REASONABLE BENEFICIAL USE FOR THE PROPERTY AS A WHOLE UNDER THE CURRENT REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT?

☐ YES ☒ NO

EXPLANATION: Reasonable beneficial use from a variance would be that the double-wide would not be relocated since foundation is already completed. It would be a substantial financial hardship at this point in the building process.

9. IF A RESPONSE OF "NO" IS PROVIDED FOR QUESTIONS #1, #2, #3 AND #4 ABOVE, OR A RESPONSE OF "YES" IS PROVIDED FOR QUESTIONS #5, #6 OR #8, THE APPLICANT IS HEREBY ADVISED THAT THE CHINCOTEAGUE BOARD OF ZONING APPEALS, UNDER APPLICABLE STATE LAW AND THE ZONING CODE, WILL HAVE INSUFFICIENT LEGAL GROUNDS FOR GRANTING A VARIANCE. THE APPLICANT DOES, HOWEVER, HAVE LEGAL RIGHT TO PRESENT THEIR CASE TO THE BOARD FOR ITS CONSIDERATION.

10. HAS ANY DEVELOPMENT, CONSTRUCTION OR OTHER ACTIVITY OCCURRED ON THE SUBJECT PROPERTY WHILE UNDER THE CURRENT OWNERSHIP WHICH DOES NOT COMPLY WITH ANY PROVISION OF THE Code?

☒ YES ☐ NO

EXPLANATION: SEE ATTACHED letter

11. HAS A VARIANCE BEEN REQUESTED FOR THE SUBJECT PROPERTY WITHIN THE LAST 12 MONTHS.

☐ YES ☒ NO

EXPLANATION: This property has been fully functional and in use since March 27, 1995. The tenant "Rainbow" <sup>Raymond</sup> Jones passed away in 2014 and after that we decided to upgrade the structures on the property.

12. IS THE PROPERTY SUBJECT TO ANY LEGAL ACTION INCLUDING BUILDING CODE VIOLATIONS, ZONING CODE VIOLATION OR ANY PENDING COURT ORDER?

(☒) YES

( ) NO

EXPLANATION: The property as indicated by Mr. Kenny  
Lewis is in violation in the rear setback  
by 8'.

13. THE APPLICANT IS ADVISED TO REVIEW THE ATTACHED SECTIONS OF THE TOWN OF CHINCOTEAGUE ZONING CODE IN ORDER TO FURTHER UNDERSTAND THE LEGAL REQUIREMENTS REGARDING APPEALS, VARIANCE AND SPECIAL EXCEPTIONS. IF THE OWNER OF THE PROPERTY ELECTS REPRESENTATION BEFORE THE BOARD BY LEGAL COUNSEL, AGENT OR OTHERS ACTING ON BEHALF OF THE OWNER, THE FOLLOWING INFORMATION MUST BE PROVIDED:

REPRESENTATIVE'S NAME: \_\_\_\_\_

REPRESENTATIVE'S ADDRESS: \_\_\_\_\_

REPRESENTATIVE'S PHONE NUMBER: \_\_\_\_\_

REPRESENTATIVE'S EMAIL: \_\_\_\_\_

14. ATTACH ANY APPLICABLE SITE PLANS, BUILDING ELEVATIONS, GRADING PLANS, SEWERAGE LOCATIONS OR OTHER INFORMATION THAT MAY ASSIST THE BOARD IN THEIR CONSIDERATION OF THE MATTER.



**Search Results Details Map**

---

**Map Layers**    **Results**

- ☒ Temporary Markup
- ☒ XY Location
- ☒ XY Location
- ☒ Accomack/Public

20% Transparent

- ☒ County Boundaries
- ☒ Road Labels
- ☒ Town Labels
- ☒ Detail Layers
- ☐ Parcels
- ☒ Parcel Labels
- ☐ Street Addresses
- ☐ Wallops Island Transit Ove
- ☐ Airport Overlay District
- ☐ Agric. & Forestal District La
- ☐ Chesapeake/Antlantic Prese
- ☐ Future Land Use (2008 Co
- ☐ NWI Wetlan
- ☐ Enterprise Z
- ☐ Election Dist

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Tools

Print

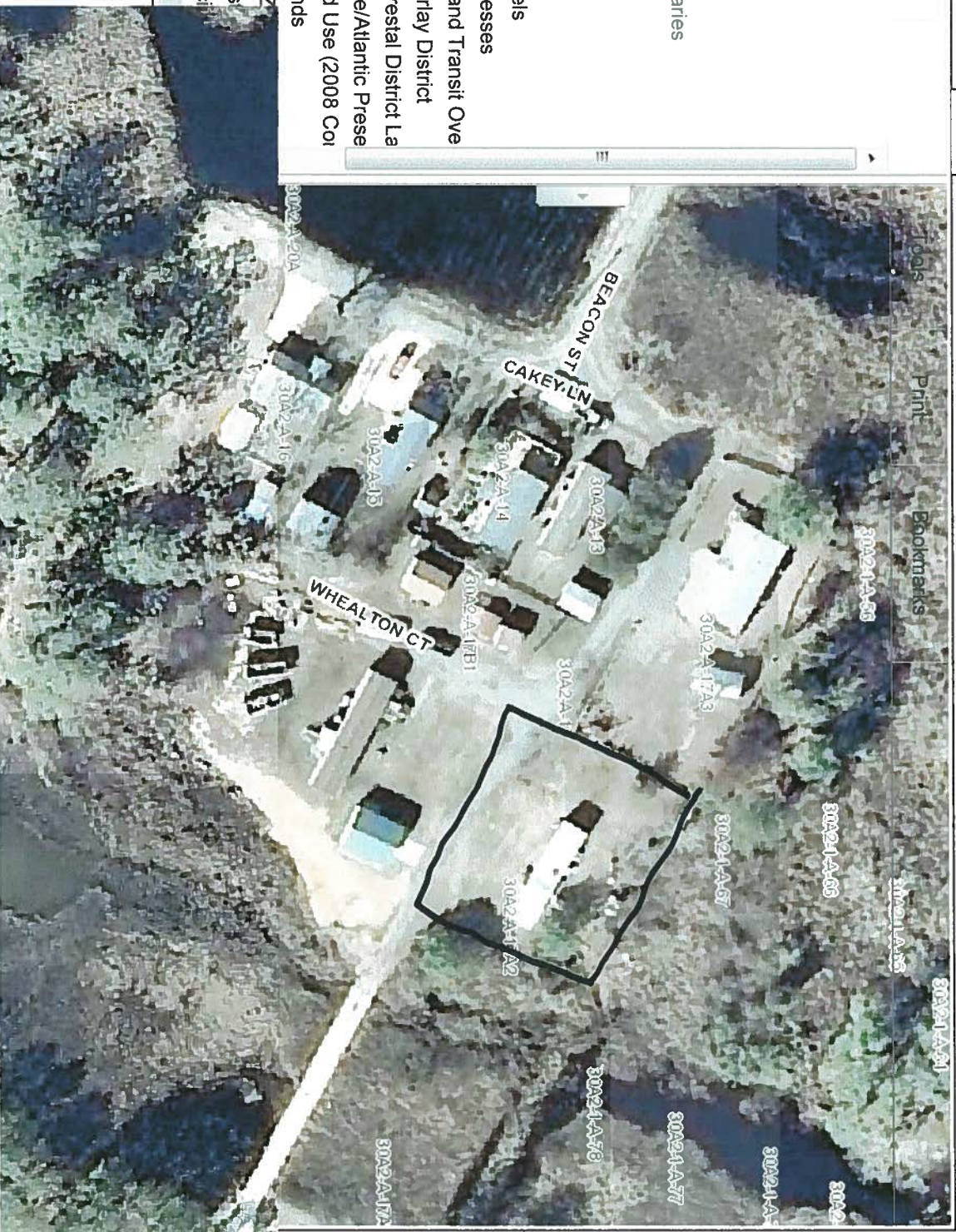
Bookmarks

**XY Location**

Degrees & Minutes ▾

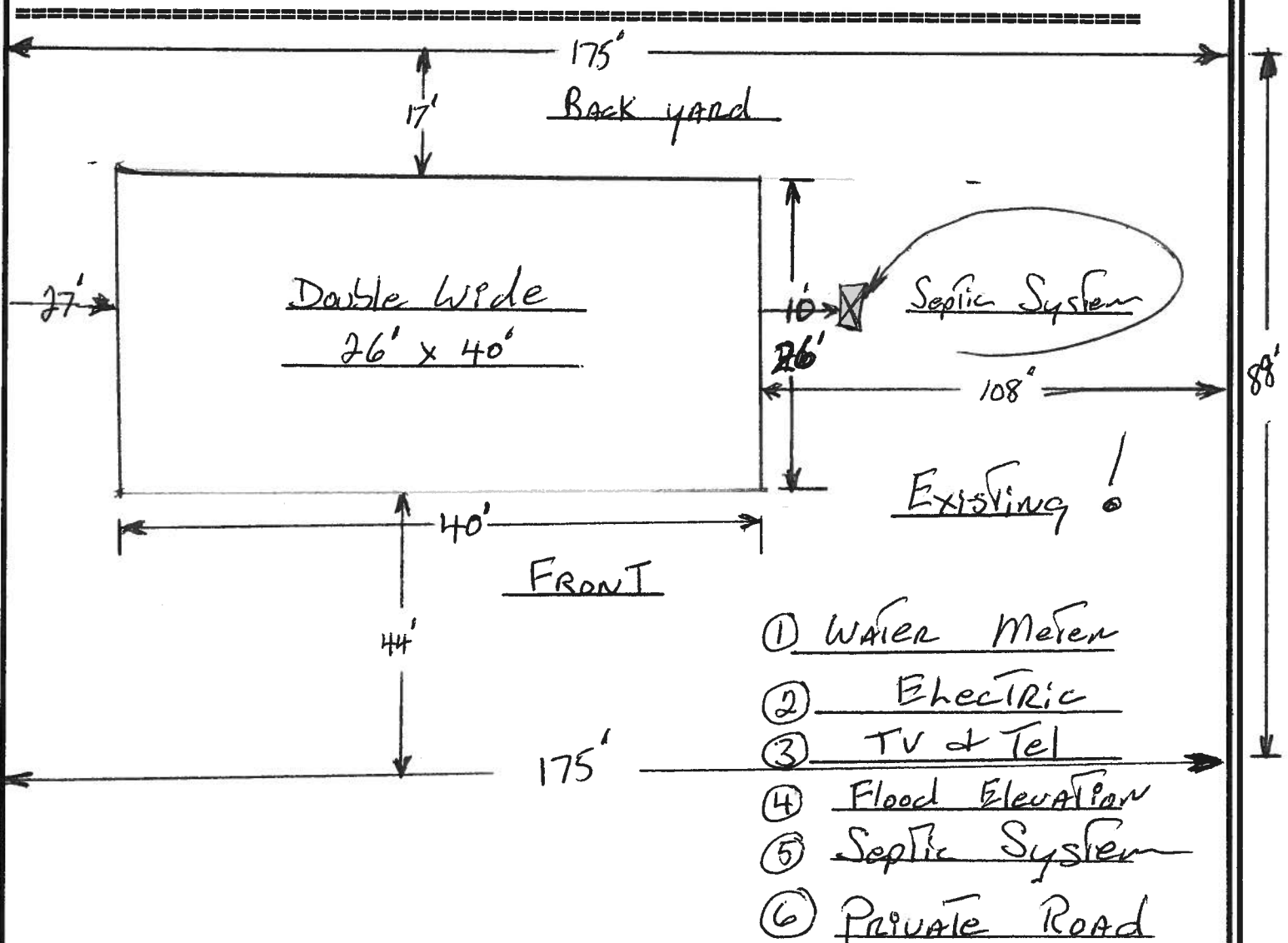
Lat: N37-55.05128  
Lon: W75-23.36007

Summary | Coordinates | What's Nearby? | Edit



## LOCATION OF EXISTING & PROPOSED CONSTRUCTION

- (1). DRAW AN OUTLINE OF EXISTING BUILDINGS(S) AND INDICATE DISTANCES FROM THE BUILDING(S) TO THE FRONT, REAR AND SIDE PROPERTY LINES.
- (2). DRAW AN OUTLINE OF THE PROPOSED STRUCTURE USING DASHED LINES AND INDICATE DISTANCES TO THE OTHER BUILDINGS AND TO ALL PROPERTY LINES.
- (3). DRAW LOCATION OF SEPTIC SYSTEM.



SITE PLAN

Lot A-2

7355 Wheaton Court



SUBDIVISION OF

O. H. JESTER (heirs)

P.B. 7 P. 77

89

206.30'  
S 53°21'46" E

LOT A-1  
23,873 SQ. FT.

LOT B-1  
P.B. 94 P. 159

THIS :  
THE E  
AND L  
INDICA  
PROPE

40' STREET

78

LOT A-2  
15,400 SQ. FT.

67

544.30' TOTAL

LOT A-3  
10,412 SQ. FT.

LOT B-2  
P.B. 94 P. 159

40' STREET

56

C.M.(ex) 63.88' PIN(ex)  
N 36°38'00" E

BYRON B. CROSS  
D.B. 496 P. 106

YRON B. CRC  
D.B. 496 P. 106

3E 1E (M)

151 OF

20' R/W  
P.B. 92 P. 1

PLEASE INDICATE YOUR APPROVAL OR DISAPPROVAL OF THE PROPOSED LAND USE AS STATED IN THE APPLICATION BY CHECKING THE APPROPRIATE SPACE. SPECIFY THE LOCATION OF YOUR PROPERTY; NORTH, EAST, SOUTH OR WEST OF THE APPLICANTS PROPERTY.

TAX MAP # 30A2-A-17B1

NAME: Morris & Barbara Wheaton

ADDRESS: 3188 Bertie ST.

PHONE: Called

COMMENTS: Sent a certified letter

☐ APPROVE REQUEST

☐ DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # 30A2-A-17A1

NAME: Daniel & Anne Wheaton

ADDRESS: 7485 Beebe Rd

PHONE: \_\_\_\_\_

COMMENTS: " Will Not Impact Surrounding  
Land Owners "

☒ APPROVE REQUEST

☐ DISAPPROVE REQUEST

SIGNATURE: Daniel Wheaton Anne Wheaton DATE: 2-16-2015

TAX MAP # 30A2-A-17A3

NAME: Jennifer Kyle

ADDRESS: 1934 GRAVES Rd Hockessin DE 19707-9714

PHONE: \_\_\_\_\_

COMMENTS: Sent a Certified letter

☐ APPROVE REQUEST

☐ DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # 30A2-1-A-67:78

NAME: Mildred FOX

ADDRESS: 4127 Ridge Rd

PHONE: Called

COMMENTS: Sent a certified letter

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

TAX MAP # \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

( ) APPROVE REQUEST

( ) DISAPPROVE REQUEST

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**OFFICIAL USE ONLY**

**DATE:** \_\_\_\_\_

**APPEAL #** \_\_\_\_\_

**MOTION ON APPEAL:** \_\_\_\_\_

☐ **APPROVED**

☐ **DENIED**

☐ **CONDITIONALLY APPROVED;**

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**FOR :**

☐ **JESSIE SPEIDEL** ☐ **DONNIE THORNTON** ☐ **ROBERT CHERRIX**

☐ **MIKE MCGEE** ☐ **JACK GILLISS** ☐ **CHUCK WARD** ☐ **EDDIE MORAN**

**AGAINST:**

☐ **JESSIE SPEIDEL** ☐ **DONNIE THORNTON** ☐ **ROBERT CHERRIX**

☐ **MIKE MCGEE** ☐ **JACK GILLISS** ☐ **CHUCK WARD** ☐ **EDDIE MORAN**

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Return Receipt Fee (Endorsement Required)	\$2.70	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	02/17/2015

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 Jennifer Kyle  
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 or PO Box No. 1934 GRAVES Rd  
 City, State, ZIP+4 HOCKESSIN, Del 19707 9714  
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	02/17/2015

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 Morris & Barbara Wheaton  
 Street, Apt. No.,  
 or PO Box No. 3188 BELLE ST  
 City, State, ZIP+4 CHINCOTEAGUE VA 23336  
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Total Postage & Fees	\$ 6.49	02/17/2015

Sent To  
 Mildred Fox  
 Street, Apt. No.,  
 or PO Box No. 4127 RIDGE RD  
 City, State, ZIP+4 CHINCOTEAGUE VA 23336  
 PS Form 3800, August 2006 See Reverse for Instructions.